

Goa, 16th April, 1970 (Chaitra 26, 1892)

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GOVERNMENT GAZETTE

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GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/47/66

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government, Directorate of Agriculture, Class II Gazetted posts Recruitment Rules, 1967 issued under Notification dated 22nd July, 1967 and published in the Government Gazette Series I, No. 20 dated 17th August, 1967 namely:

1. *Short Title and Commencement*: — (i) These rules may be called the Goa Government, Directorate of Agriculture, Class II Gazetted posts Recruitment (First Amendment) Rules, 1970.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification against the post of Assistant Chemist appearing at Serial No. 1

(a) For the existing entry in column 10 substitute:

"By direct recruitment".

(b) For the existing entry in column 11, substitute:

"Not applicable".

By order and in the name of the Administrator of Goa, Daman and Diu.

D. V. Sawant, Under Secretary (Appointments).

Panaji, 8th April, 1970.

Home Department 'A'

Notification

HD-44-123/70-A

In exercise of the powers conferred by Section 4 of the Code of Criminal Procedure, 1898 and in par-

tial modification of the Government Notification No. HD-34-1410/1966-A, dated 5th October, 1966, published in the Government Gazette, Series I, No. 29 dated 20th October, 1966, the Lieutenant Governor of Goa, Daman and Diu is pleased to direct that in the Schedule II, entry No. 2, Column 4, at Sr. No. 1 of the said Notification for the words, "Panjim Rural" the word "Ribandar" shall be substituted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. B. Deshpande, Under Secretary (Home).

Panaji, 6th April, 1970.

Law and Judicial Department

Notification

LD/2/N/99/70

The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1970 which was recently passed by the Parliament and assented to by the President of India on 11th March, 1970, is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 1st April, 1970.

The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1970

AN

ACT

further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952

Be it enacted by Parliament in the Twenty-first Year of the Republic of India as follows: —

1. *Short title*. — This Act may be called the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1970.

2. Amendment of section 1.—In section 1 of the Requisitioning and Acquisition of Immovable Property Act, 1952³⁰ of 1952. (hereinafter referred to as the principal Act), sub-section (3) shall be omitted.

3. Amendment of section 6.—In section 6 of the principal Act, —

(a) after sub-section (1), the following sub-section shall be inserted, namely: —

“(1A) Notwithstanding anything contained in sub-section (1), the Central Government shall release from requisition, —

(a) any property requisitioned or deemed to be requisitioned under this Act before the commencement of the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1970, on or before the expiry of a period of three years from such commencement;

(b) any property requisitioned under this Act after such commencement, on or before the expiry of a period of three years from the date on which possession of such property was surrendered or delivered to, or taken by, the competent authority under section 4, unless such property is acquired under section 7 within the period of three years aforesaid.”

(b) in sub-section (2), after the words “released from requisition”, the words, brackets, figures and letter “under sub-section (1) or sub-section (1A)” shall be inserted.

(2) It shall be deemed to have come into force from 8th February, 1965.

2. Amendment of section 2.—In clause (1A) of section 2 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (hereinafter referred to as the ‘principal Act’), —

- 1) after the words “sugar cane” the words “arecanut groves, cashew groves”, shall be inserted; and
- 2) the words “arecanut, cashew, or” shall be deleted.

3. Amendment of section 23.—(i) After sub-section (1) of section 23 of the principal Act, the following shall be inserted, namely: —

“(1A) The rent payable by a tenant to the landlord in respect of cashew grove and arecanut grove shall not exceed one-fourth of gross produce of such lands.”

(ii) After sub-section (2) of section 23 the following shall be inserted, namely: —

“(2A) For the purpose of sub-section (1A) gross produce means, such produce as jointly assessed every season by one representative of the tenant, one representative of the landlord and one representative acceptable to the tenant and the landlord”.

Financial Memorandum

No financial implications are involved.

Statements of Objects and Reasons

The present Agricultural Tenancy Act does not provide protection to the tenants of cashew and arecanut groves. There is no other law that clearly protects the rights of the above tenants. They are evicted at the sweet will of the landlords. Thus there is no security of their tenures. Added to this, the rates of rent levied by the landlords are very high and constant increase in the rent has become a fashion. There are many lands of such crop under the control of temples and other institution. They hold auctions and thus the tenants have no security. In March, 1965, the Lt. Governor had issued an order 125/65 giving protection to the tenants of the cashew and arecanut groves. This order has been quashed out by the Judicial Commissioner Court of this territory. This Bill therefore, seeks for saving the tenant's from the harassment of landlords.

Panaji,
26th March, 1970.

D. K. CHOPDENKAR
M. L. A.

Assembly Hall,
Panaji,
4th April, 1970.

O. P. GARG
Secretary to the Legislative
Assembly of Goa, Daman and Diu.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/A/7/836/70

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 10th April, 1970 is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

The Goa, Daman and Diu Agricultural Tenancy (Amendment) Bill, 1970

(Bill No. 15 of 1970)

A Bill further to amend the Goa, Daman and Diu Agricultural Tenancy Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-first Year of the Republic of India as follows:

1. Short title and commencement.—(1) This Act may be called the Goa, Daman and Diu Agricultural Tenancy (Amendment) Act, 1970.